

SHANE BURRIS
DIRECTOR OF MONROE COUNTY
ECONOMIC DEVELOPMENT

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2005 APR 15 PM 3:36

MONROE COUNTY

MADISONVILLE, TENNESSEE 37354

T.R.A. DOCKET ROOM (423) 442-3652

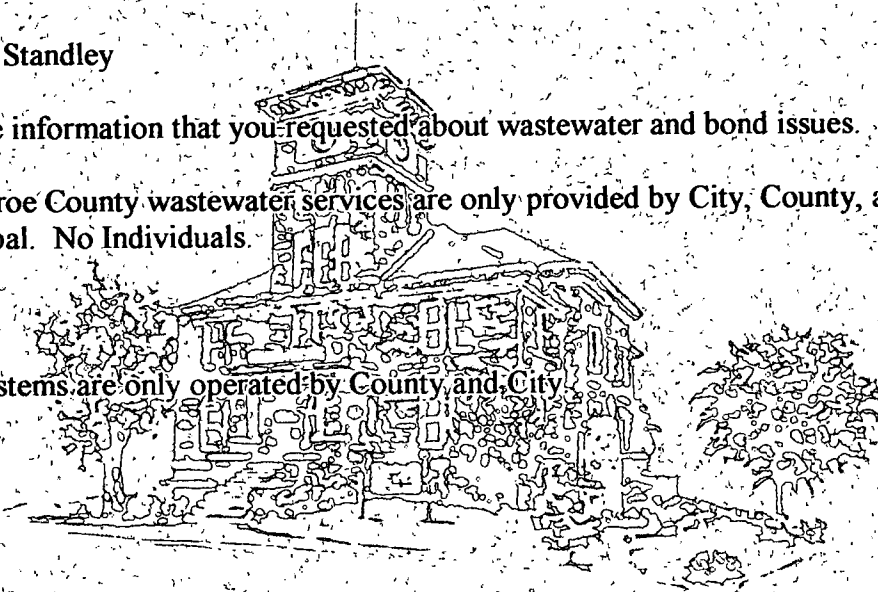
April 13, 2005

Darlene Standley, Chief
Utilities Division
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Dear Mrs. Standley

Here is the information that you requested about wastewater and bond issues.

- 1) In Monroe County wastewater services are only provided by City, County, and Municipal. No Individuals.
- 2) N/A
- 3) Our systems are only operated by County and City.
- 4) N/A
- 5) N/A



If you have any questions feel free to contact me at (423) 442-3652.

Sincerely,

A handwritten signature in cursive script that reads "Shane Burris".

Shane Burris
Director
Economic Development Monroe County



PUBLIC WORKS DIVISION
MICHAEL L. HOWARD, P.E.
COUNTY ENGINEER
(423) 209-7810
(423) 209-7811 FAX



DEVELOPMENT RESOURCE CENTER
1250 MARKET STREET, SUITE 3050
CHATTANOOGA, TENNESSEE 37402-2713
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Hamilton County Government

CLAUDE RAMSEY, COUNTY EXECUTIVE
CHATTANOOGA, TENNESSEE

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April 14, 2005

Ms. Darlene Standley
Chief, Utilities Division
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Subject: Docket No. 04-00434-Wastewater Forum

Dear Ms. Standley:

In Hamilton County there are five groups that construct and operate sanitary sewers. Three are cities that only operate within their city limits and the County does not require a bond. Those cities are Chattanooga, Lookout Mountain, and Collegedale. One is a private sewer system that serves the Windstone Subdivision but all the streets in the subdivision are private and the County does not require a bond. The last is the Hamilton County Water & Wastewater Treatment Authority (WWTA) that was created by Hamilton County under the Tennessee Water & Wastewater Treatment Authority Act.

The WWTA constructs and operates the sewers in the cities of Soddy-Daisy, Red Bank, Signal Mountain, East Ridge, Ridgeside, and Lakesite as well as the unincorporated areas of the county. Since the WWTA was created by the County and is staffed by County employees, no bond is required.

Under the WWTA regulations, private wastewater utilities will not be allowed to operate in their service area.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Mike Howard".

Mike Howard, P.E.
County Engineer

MH/ln

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T.R.A. DOCKET ROOM



WILLIAMSON COUNTY

Rogers C. Anderson, County Mayor
1320 West Main Street, Suite 125
Franklin, Tennessee 37064
(615) 790-5700, Fax (615) 790-5818

April 14, 2005

VIA UNITED STATES MAIL

Ms. Darlene Standley
Chief, Utilities Division
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, Tennessee 37243-0505

RE: Docket Number 04-00434-Wastewater Forum
TRA Request for Information

Dear Ms. Standley:

Thank you for your request from Williamson County and its Water and Wastewater Authority regarding the regulation of wastewater utilities utilizing land disposal. Williamson County's Water and Wastewater Authority has worked very diligently to ensure that the citizens of Williamson County are adequately protected while permitting enterprising utilities to utilize the latest in technology for the treatment and disposal of wastewater. As you know, the growth that is enabled by this technology through certificates of convenience and necessity issued by the Tennessee Regulatory Authority has been quite fervent in Williamson County and its Water and Wastewater Authority is constantly examining its policies and how to better protect its citizens. I welcome your inquiry and offer any assistance Williamson County may provide.

Section 1.10 of the Regulations for Wastewater Treatment and Land Disposal Systems, for Williamson County, Tennessee provides in part:

It is the intention of these regulations that a performance bond be required for all projects utilizing a non-traditional wastewater treatment and disposal system, utilizing land as the disposal location for the wastewater. The bond shall equal to 150% of the cost for the wastewater treatment and disposal system. This bond shall include the cost of all the facilities, land, and improvements to the land in order to build the wastewater treatment and land disposal system. The construction cost for all of the components of the wastewater

Ms. Darlene Standley
Tennessee Regulatory Authority
April 14, 2005 - Page Two

collection, treatment and disposal system shall be included in the performance bond. This bond shall be in place for a minimum period of three (3) years after 80% build-out of the development or project.

...

Due to the relatively unproven reliability of land disposal systems within Williamson County, a "back-up" system or redundant wastewater treatment and disposal system must also be identified and bonded. The back-up or redundant system shall include one of the following:

1. Commitment from existing publicly owned treatment works (POTW) owned and operated by a public municipal utility to accept the wastewater from the wastewater treatment and disposal system in the event of failure or unacceptable operation of the wastewater treatment and disposal system which creates a public health and safety concern or;
2. Provide "back-up" facilities that will duplicate the wastewater treatment and disposal system proposed. This will include all the additional treatment and land disposal systems necessary to provide 100% redundancy to the wastewater treatment and disposal system proposed

A "back-up" system performance bond equal to 150% of the cost for the redundant system or the cost for connection to the publicly owned treatment works will be provided. This performance bond shall provide sufficient money for all required modifications to the treatment system so the wastewater can be discharged to a publicly owned treatment works (including new sewer facilities and POTW connection fees), or a new treatment and disposal system can be constructed.

The "back-up" system performance bonds shall be in place for the anticipated design life of the wastewater treatment system but in no case shall the performance bond period be less than ten (10) years from 80% build-out of the development.

Ms. Darlene Standley
Tennessee Regulatory Authority
April 14, 2005 - Page Three

The Regulations for Wastewater Treatment and Land Disposal Systems also incorporate Section IV of the Williamson County Subdivision Regulations entitled "Assurance for Completion and Maintenance of Improvements" concerning the type of acceptable performance bonds and the rights acquired pursuant to those bonds. Among other things, the regulations require that a Performance Bond Agreement be executed as well as the posting of a letter of credit or certified check in the bond amount. The letter of credit must be from an approved financial institution chartered by the State of Tennessee and have within fifty (50) miles of Franklin, Tennessee, an office or branch authorized to accept a demand or "call" on the securing document.

Regarding any exemptions, Williamson County's Water and Wastewater Authority may only impose the terms of these regulations on nontraditional sewage disposal systems that serve more than one household, which by statutes does not include subsurface sewage disposal systems that are subject to permitting requirements of Tennessee Code Annotated, title 68, chapter 221, part 4 or to wastewater treatment facilities owned or operated by a governmental entity. Please see Tennessee Code Annotated, title 68, chapter 221, part 6.

I hope this information is helpful in completing your study. It was also my understanding that Mr. Ron Graham received a complete copy of Williamson County's Regulations for Wastewater Treatment and Land Disposal Systems when we met in January. Should you have any questions or desire additional information, please do not hesitate to contact me.

Sincerely,



Rogers Anderson, County Mayor
Ex-Officio Member, Williamson County
Water and Wastewater Authority

RCA/dg

xc John Lackey, Chairman-W C Water & Wastewater Authority
Steve Lane-Smith Seckman Reid
Kristi Earwood, Attorney



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McMinn County Planning Commission
McMinn County Staff
1107 S. Congress Parkway
Athens, Tennessee 37303
423.745.3137

April 8, 2005

Ms. Darlene Standley
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN. 37242-0505

Subject: Docket No. 04-00434-Wastewater Forum

Dear Ms. Standley

Your request was forwarded to me for reply by John Gentry, The County Mayor for McMinn County. Currently the county does not own or operate a wastewater plant. The county currently has no requirement for bonding for wastewater treatment facilities.

Sincerely,

Russell Thress

cc: John Gentry